

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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NIKE, INC.,

Plaintiff,

v.

FUJIAN BESTWINN (CHINA) INDUSTRY
CO. LTD a/k/a XIAMEN BESTWINN IMP.
& EXP. CO. LTD.,

Defendant.

Case No. 2:16-cv-00311-APG-VCF

**ORDER GRANTING IN PART
MOTION TO SEAL**

(ECF No. 35)

The plaintiff seeks to seal the declarations of Aaron Bowling and Jonathan Fountain and the exhibits attached to them. ECF No. 35. The declarations do not appear to contain any confidential information, other than the hourly rates charged. Typically, attorneys' hourly rates and the work they perform are not considered confidential, especially in a request for reimbursement of such fees. Indeed, if the rates and work are not disclosed, the opposing party has no ability to object to the reasonableness of the fees charged. However, given the unique circumstances of this case, I will allow the plaintiffs to seal the references to the hourly rates that are contained in the declarations and exhibits, and the billed dollar amounts for each specific work entry. The descriptions of the work performed are generic and do not appear to disclose any confidential information or privileged communications. Nor are the number of hours charged confidential. Thus, that portion of the plaintiff's motion is denied.

IT IS ORDERED that the motion to seal (ECF No. 35) is GRANTED IN PART. The current documents (ECF Nos. 33 and 34) shall remain sealed. The plaintiff shall file redacted versions of those documents, redacting only the references to the hourly rates and the billed amounts for each specific work entry in the declarations and exhibits.

Dated: October 6, 2016.


ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE